

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**GRAND PROPERTIES, INC.,
and T.M. SUNDARAM,**

Plaintiffs,

v.

CIV. No. 97-1467 JP/RLP

**LEONARD R. SMITH, CHRISTOPHER
H. KILCULLEN, HOSPITALITY
FRANCHISE SYSTEMS, INC.,
a Foreign Corporation and RAMADA
FRANCHISE SYSTEMS, INC., a Foreign
Corporation,**

Defendants.

MEMORANDUM OPINION AND ORDER

The subject of this Memorandum Opinion and Order is Plaintiffs' "Motion to Amend Complaint" [Doc. No. 14], filed June 2, 1998.

According to counsel for the Plaintiffs, Plaintiffs served their motion on opposing counsel on May 4, 1998. Defendants failed to respond to the motion within fourteen days as required by D.N.M. LR- Civ. 7.6(a). Failure to respond constitutes consent to the motion. In addition, Federal Rule of Civil Procedure 15(a) provides that leave to amend "shall be freely given when justice so requires." For both of these reasons, Plaintiffs' motion should be granted.

Therefore, it is ORDERED that Plaintiffs' "Motion to Amend Complaint" [Doc. No. 14] is GRANTED.


UNITED STATES DISTRICT JUDGE